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OFFICE OF PETITIONS

In re Application of : DECISION ON PETITION
Peker, et al. :
Application No. 10/761,327 :
Filed: January 22, 2004 :
Atty. Dkt. No.: PDS-015 :

This is a decision on the petition under 37 CFR 1.137(a), filed January 28, 2008.

The petition is **GRANTED**.

This application became abandoned October 13, 2007 for failure to timely reply to the non-final Office action mailed July 12, 2007. The non-final Office action set a three (3) month shortened statutory period of time for reply. No petition for extension of time was timely submitted. This decision precedes Notice of Abandonment.

A grantable petition under 37 CFR 1.137(a) must be accompanied by: (1) the required reply, unless previously filed; (2) the petition fee as set forth in 37 CFR 1.17(l); (3) a showing to the satisfaction of the Commissioner that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(a) was unavoidable; and (4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required pursuant to 37 CFR 1.137(c).

The petition satisfies the requirements of 37 CFR 1.137(a) in that petitioners have supplied the required reply and the required petition fee, and have presented a showing to the satisfaction of the Director that the entire delay was unavoidable.

This application is being forwarded to Technology Center 2800 for further processing.

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3205.

Alesia M. Brown
Petitions Attorney
Office of Petitions